
City of Reading City Council

Regular Meeting September 10, 2007

A regular meeting of City Council was held on the above date for the transaction of general business.

Vaughn D. Spencer, President of Council, called the meeting to order.

The invocation was given by Pastor Lee Ritz representing the Hampden Mennonite Church.

All present pledged to the flag.

ATTENDANCE

Council President Spencer
Councilor Fuhs, District 1
Councilor Goodman-Hinnershitz, District 2
Councilor Sterner, District 3
Councilor Marmarou, District 4
Councilor Baez, District 5

Mayor T. McMahon
Managing Director L. Churchill
City Auditor D. Cituk
City Solicitor C. Younger
City Clerk L. Kelleher

PUBLIC COMMENT

Council President Spencer announced that two citizens were registered to address Council on agenda matters. He advised the speakers of the public comment rules.

Stacy Campbell was not present.

Harriet Rauenzahn, of Rose Virginia Road, spoke in support of the Climate Change Resolution noting the direct effects global warming has on our environment and those who live it in, humans and wildlife. She asked Council to consider allowing the newly created Environmental Advisory Council to review the Resolution prior to its adoption.

APPROVAL OF AGENDA AND MINUTES

Council President Spencer called Council's attention to the agenda for tonight's meeting including the legislation on the consent agenda and the minutes from the August 27, 2007 regular meeting of Council.

Councilor Marmarou moved, seconded by Councilor Fuhs, to adopt the agenda for tonight's meeting and the minutes from the August 27, 2007 regular meeting of Council. The motion was approved unanimously.

CONSENT AGENDA

Resolution- directing Met-Ed Energy to upgrade seven company owned street light fixtures, from 250 watt mercury vapor to 150 watt high pressure sodium vapor. **(Traffic Engineering)**

- Pole #50721-36428, at 247 Carroll Street.
- Pole #50727-36423, at 301 Carroll Street.
- Pole #50704-36394, at 420 Summit Avenue.
- Pole #50695-36383, at 425 Summit Avenue.
- Pole #50685-36379, at 199 Grace Street.
- Pole #50719-36416, at 419 Summit Avenue.
- Pole #50697-36379, at 448 Belvedere Avenue.

Resolution- directing Met-Ed Energy to upgrade a company owned street light fixture, from a 100 watt mercury vapor to a 100 watt high pressure sodium vapor at 350 Reed Street. **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to install and provide energy to two company owned street light fixtures. The fixtures will be 100 watt high pressure sodium vapor, installed at the following locations: 415 Chapel Terrace and 429 Chapel Terrace. **(Traffic Engineering)**

Resolution- directing Met-Ed Energy to remove two company owned street light fixtures at the northeast corner of Old Wyomissing Road and on Old Wyomissing Road. **(Traffic Engineering)**

ADMINISTRATIVE REPORT

Mayor McMahon reviewed the report distributed to Council at the meeting covering the following:

- Receipt of a \$192,000 Weed and Seed Grant
- Vehicle theft update
- Opening of 2nd & Washington garage
- Penn Street Beautification Project
- Upcoming Riverfest celebration on September 21 and 22
- Outcome of the Stadium Facilities Study

Councilor Fuhs noted his appreciation for the diplomacy of the Mayor and Police Chief in working with the District Attorney's office and others. He noted the success the Reading Police Department has had in the war on drugs resulting in significant seizures.

Councilor Fuhs noted the written agreement in place with the District Attorney's office to provide the City with 80% of that seized to further the Police Department's work on the war on drugs. He noted the District Attorney's departure from the agreement with the seizure worth \$1.2 million. He stated the District Attorney's potential right to take such action does not make it the right action. He stated that this significant seizure could assist the City's crime fighting effort through the re-establishment of the K-9 Corp., purchase of patrol cars, and officer training, which would further the public safety plan defined by the Chief of Police.

Councilor Goodman-Hinnershitz echoed Councilor Fuhs remarks and added that the withholding of this drug seizure money will interfere with the Chief's ability to implement new programs to work against the drug trade in the City of Reading.

Councilor Goodman-Hinnershitz expressed her belief in the use and application of the Call Center. She noted the improvements made in District 2 by citizens using the Center.

Council President Spencer noted his repeated requests for information on the City's cost to undertake the Riverfest activity. Mayor McMahon replied that no City dollars are used to support Riverfest. The cost of performers and security is \$50,000 which is covered by sponsorships. He noted that this money is also used to repay a loan undertaken to cover

costs associated with a previous event. He added that in-kind donations of electric, trash removal, tables, barricades, and limited police presence was covered by the City.

Council President Spencer also noted the conflicting memos in response to his questions about the gun buyback program offered by the 8th Street Check Cashing store. Managing Director Churchill apologized noting that the gun buyback program was not consummated. He noted other programs such as Triggerlock prove to be more beneficial.

Mayor McMahon left the meeting.

AUDITOR'S REPORT

City Auditor Dave Cituk read the report distributed to Council at the meeting. The report covers the following:

- Update on recycling grant
- Update on the history of the fund balance from 1991 through 2006
- 2007 revenue generated at the Schlegel Park Pool

Councilor Goodman-Hinnershitz thanked the Auditor for his report and clarification on the annual fund balance and use of that balance to assist with the following fiscal year. She noted that the fund balance has no effect on the City's structural deficit.

Council President Spencer questioned the City's practice of investing revenue. City Auditor Cituk explained the City's investment practices noting that these investment practices prevented the need for an annual TRAN.

Managing Director Churchill stated that he will supply Council with a report on the amount invested and the interested yielded.

Council President Spencer requested a breakdown on the use of the annual recycling grant.

ORDINANCES FOR FINAL PASSAGE

Bill No. 62-2007 - amending the current agreement between the City of Reading and Citizens Bank of Pennsylvania. **(Solicitor/Council Staff)**
Introduced at the 07/23/07 meeting of Council; tabled at the 08/13/07 meeting of Council; discussed at the 08/27/07 Committee of the Whole meeting.

Councilor Marmarou moved, seconded by Councilor Goodman-Hinnershitz, to enact Bill 62-2007.

Bill 62-2007 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Spencer President – 6.
Nay: None – 0.

Bill No. 65-2007 - amending the purchasing procedures contained in the City of Reading Codified Ordinances. *(Spencer) Introduced at the 08/13/07 meeting of Council; tabled at the 08/27/07 meeting of Council and referred to the Finance Committee for review.*

Councilor Fuhs moved, seconded by Councilor Goodman-Hinnershitz, to table Bill 65-2007.

Bill 65-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Spencer President – 6.

Nay: None – 0.

Bill No. 66-2007 - authorizing the Mayor to execute a certain agreement between the City of Reading and Land Displays, Inc., to provide a lease in exchange for the installation of a digital sign on the Penn Street bridge. *(Managing Director) Introduced at the 08/13/07 meeting of Council; tabled at the 08/27/07 meeting of Council pending zoning review.*

Councilor Sterner moved, seconded by Councilor Baez, to enact Bill 66-2007.

Managing Director Churchill explained the benefits of the agreement for both the City and Land Displays.

Bill 66-2007 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner,
Spencer President – 6.

Nay: None – 0.

Bill No. 68-2007 - amending the Codified Ordinances of the City of Reading, by transferring the law regarding the parking of trucks, trailers and mobile homes from Chapter 15 Motor Vehicles and Traffic to Chapter 10 Health and Safety. **(Fuhs/Chief Heim) *Introduced at the 08/27/07 meeting of Council.***

Councilor Baez moved, seconded by Councilor Fuhs, to enact Bill 68-2007.

Councilor Fuhs explained the hard work of the City Clerk with the Police Chief to increase the enforceability of the Ordinance and obtain the Chief's buy-in.

Councilor Goodman-Hinnershitz applauded Councilor Fuhs for working to strengthen the effectiveness of the Ordinance.

Bill 68-2007 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6.

Nay: None – 0.

Bill No. 69-2007 - increasing the salary of the Public Works Director (Managing Director) ***Introduced at the 0827/07 meeting of Council.***

Councilor Fuhs moved, seconded by Councilor Baez, to enact Bill 69-2007.

Managing Director Churchill explained that this is a merit increase and noted the Public Works Director's positive performance in all operational areas.

Bill 69-2007 was enacted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6.

Nay: None – 0.

INTRODUCTION OF NEW ORDINANCES

Council President Spencer read the following Ordinances into the record:

Ordinance- amending the City of Reading Codified Ordinances Chapter 1, Section 6, Police Pension Fund, by providing a definition for military service and clarification on the purchase of military time and adding changes pursuant to the current collective bargaining agreement. **(Solicitor/Council Staff)**

Ordinance- amending the Housing Permit Ordinance to remove inapplicable sections. **(Solicitor)**

Ordinance- amending the ICCC Codes to increase the fee from \$2.00 to \$4.00 **(Solicitor)**

RESOLUTIONS

Resolution 88-2007 - appointing Joe Kuzminski to the Reading Area Water *Authority. Tabled at the 07/09/07, 07/23/07, 08/13/07 and 08/27/07 meetings of Council.*

Councilor Marmarou moved, seconded by Councilor Fuhs, to table Resolution 88-2007.

Resolution 88-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Spencer
President – 5.

Nay: Sterner – 1.

Resolution 111-2007 - allowing the transfer of an existing handicapped parking space permit from one block to another block, even if the two (2) per block limit has already been reached. **(Solicitor/Public Works/Council Staff)** *Tabled at the 08/13/07 meeting of Council; discussed at the 08/27/07 Committee of the Whole meeting.*

Managing Director Churchill withdrew this Resolution from Council's agenda.

Resolution 123-2007 - authorizing the reprogramming of \$850,000 in unprogrammed HOME funds for the development of a 59 unit apartment building at 2nd and Washington Streets. 12 of the units will be HOME assisted. **(Community Development)**

Councilor Fuhs moved, seconded by Councilor Marmarou, to table Resolution 123-2007.

Resolution 123-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6.

Nay: None – 0.

Councilor Fuhs noted the merits of the project to be funded; however, he noted the need for the City to evaluate this further due to the loss of the \$1.1 million in drug forfeiture money by the District Attorney.

Resolution 124-2007 - supporting the adoption of the national cool cities climate protection agreement, which has been adopted by numerous municipalities across the country. **(Goodman-Hinnershitz)**

Councilor Goodman-Hinnershitz moved, seconded by Councilor Baez, to table Resolution 124-2007.

Resolution 124-2007 was tabled by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6.

Nay: None – 0.

Councilor Goodman-Hinnershitz stated that the Resolution was tabled to provide the Environmental Advisory Council time to review and possibly amend the Resolution before it is adopted by City Council.

Resolution 125-2007- appointing Dennis Baver to the BOCA Board of Appeals. **(Administrative Oversight)**

Resolution 126-2007 - appointing Anthony Waldman to the Electricians Examining Board. **(Administrative Oversight)**

Resolution 127-2007 - appointing John Hill to the BOCA Board of Appeals. **(Administrative Oversight)**

The Administrative Oversight Committee moved to adopt Resolutions 125-2007, 126-2007 and 127-2007.

Councilor Marmarou noted the willingness of these skilled individuals to assist the City.

Councilor Sterner noted the wealth of experience and knowledge of these applicants. He noted the need for diversity for the City's Boards, Authorities, and Commissions.

Councilor Baez thanked all volunteers who are willing to serve in these positions. She agreed with the need to have a diverse pool of applicants.

Resolutions 125-2007, 126-2007 and 127-2007 were adopted by the following vote:

Yea: Baez, Fuhs, Goodman-Hinnershitz, Marmarou, Sterner, Spencer President – 6.

Nay: None – 0.

COUNCIL COMMENT

Councilor Sterner applauded the work of volunteer groups and agencies.

Councilor Sterner expressed the belief that the game the District Attorney is playing with the drug forfeiture money is politically motivated and unethical.

Councilor Baez congratulated those receiving commendations and the groups sponsoring events in celebration of Hispanic and Latino Heritage.

Councilor Goodman-Hinnershitz stated that the City's Environmental Advisory Council has only had one meeting to date. She noted the numerous issues that they will be reviewing.

Councilor Goodman-Hinnershitz noted the reformation of the Pendora Park Association and their work to clean-up this and other District 2 parks.

Councilor Marmarou noted that the quiet start to the Albright academic year ended with Albright students egging his home for the 5th time in a two year period. He noted the delay in response from the Albright security team.

Councilor Marmarou noted the significant problems with several off-campus student homes and the great difficulty the City has in dealing with the Albright Administration to correct these problems. He described the misuse of the police scanner in the security office. He expressed grave concern that this errant behavior could lead to a tragedy like those recently at Kutztown University.

Councilor Fuhs applauded the efforts of Councilor Marmarou in handling these difficult issues. He noted the pledge from the Albright President and the Board of Trustees to correct these problems. He suggested that we bring these parties back to the table.

Council President Spencer thanked the Codes Department for working to correct the problems in the 400 block of Minor Street.

Council President Spencer questioned if the Antietam Dam permit has been transferred over to the County.

Council President Spencer announced the upcoming meeting schedule.

Councilor Fuhs moved, seconded by Councilor Marmarou, to adjourn the regular meeting of Council.

Linda Kelleher
City Clerk